



Department of Toxic Substances Control



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February 7, 2006

Mr. Darren Newton
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FINDING OF SUITABILITY TO TRANSFER (FOST) CARVE-OUT 1 AND 4, FORMER MARINE CORPS AIR STATION (MCAS) TUSTIN, CALIFORNIA, NOVEMBER 2005

Dear Mr. Newton:

DTSC reviewed the Draft Finding of Suitability to Transfer (FOST) Carve-Out 1 and 4, Former MCAS Tustin dated November, 2005 which we received on November 30, 2005. The FOST is for Carve-Out Area 1, which includes Portions of Parcels 11, 12, and 40, and Carve-Out Area 4, which includes Portions of Parcels 12 and 40. On January 31, 2006 the Department of Toxic Substances Control (DTSC) received final versions of the revised text, tables, figures and attachments for the subject document, also known as FOST 8. Based upon review of the revised text, tables, figures and attachments, DTSC's comments provided on January 5, 2006 have been adequately addressed. DTSC submitted additional comments on January 31, and February 2, 2006 and received electronic versions of the revised text, tables and the comments were addressed adequately. The purpose of this FOST is to document the conclusion that the property identified above is suitable for transfer by deed.

DTSC concurs with the suitability to transfer for the above subject parcels. However DTSC has the following statements for the record.

1. Resource Conservation and Recovery Act (RCRA) Corrective Action (CA) Complete Determination – A RCRA CA Complete Determination officially recognizes that all hazardous waste contamination has been addressed. DTSC's rationale for conducting a RCRA CA Complete Determination is to ensure that RCRA liabilities are not imposed upon future transferees. However, DTSC understands that the Navy will not be requesting a RCRA CA Complete Determination from DTSC for the parcels proposed for transfer

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in this FOST. Therefore, please note, should a transferee desire the certainty provided by a CA Complete Determination, the transferee should apply to DTSC to complete the necessary process. Should such an application be received, DTSC will work closely and expeditiously with the transferee to complete the process, which includes modifying the Facility boundary.

2. DTSC would appreciate the opportunity to review the transfer deed prior to the completion of the transfer process. Please include this letter with FOST 8 document.

Please ensure that the revised table 2 and additional changes are incorporated into the next version of the document. Thank you for providing DTSC with the opportunity to review this FOST. If you have any questions regarding this letter, please contact Mr. Anantaramam Peddada, Remedial Project Manager, at (714) 484-5418 or me at (714) 484-5456.

Sincerely,



John E. Scandura, Chief
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